
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ERNEST N. FINLEY, JR.,)
)
Plaintiff,)
)
v.)
)
CITY OF MONTGOMERY, et al,)
)
Defendants.)

CIVIL ACTION NO.:
2:23-CV-00146-KKD-PBM

**MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF ERNEST
FINLEY**

COMES NOW Heather Leonard and seeks leave to withdraw as counsel for the Plaintiff, Ernest Finley.

1. The undersigned seeks to withdraw as counsel for the Plaintiff because she has not been actively involved in this case, and her commitments in other cases will preclude her from being actively involved in the case in the future.
2. The undersigned does not have a fee agreement with the Plaintiff. The undersigned was associated by Alicia Haynes of Haynes & Haynes, PC in 2022 in anticipation that she may need the undersigned's assistance with issues related to 42 USC § 1983.

3. The undersigned has not been actively involved in this case. Due to scheduling conflicts and commitments in other cases, the undersigned could not and did not attend any depositions in this action.
4. Due to deposition and mediation commitments in other cases as well as a speaking engagement for the American Bar Association, the undersigned was not available to participate in briefing dispositive motions other than to provide Haynes & Haynes with legal authority on comparator issues.¹
5. The undersigned has two trials set this summer in other matters. *Trantham v Socoper, Inc.* (N.D. Ala 1:16-cv-01476-CLM) is set for trial June 23, 2025, in federal court in Anniston, Alabama. *Crayne v. The Board of Trustees for the University of Alabama, et al* (N.D. Ala. 2:22-cv-01537-SGC) is set for trial July 28, 2025, in federal court in Birmingham, Alabama.
6. Because of (a) the undersigned's lack of involvement in this case and (b) commitments in other cases, she seeks to withdraw as counsel for the Plaintiff.
7. The Plaintiff should not be prejudiced by this motion. The undersigned is not

¹ In January 2025, prior to the dispositive motion deadline, the undersigned participated in a meeting where there was a discussion about the undersigned assisting with briefing responses to dispositive motions. However, the discovery deadline was extended, and the dispositive motion deadline was moved to the end of February 2025. (Doc. 101). As a result, the time to work on responsive briefing fell on dates where the undersigned was committed to depositions, mediations, and briefing in other matters as well as to a speaking engagement at American Bar Association event out of the country. As a result, the undersigned, a solo practitioner, was not able to assist with responsive briefing.

claiming any compensation owed nor filing/pursuing any lien for fees and expenses.² Plaintiffs will continue to be represented by Alicia and Kenneth Haynes of Haynes & Haynes, PC.

WHEREFORE, PREMISES CONSIDERED, the undersigned seeks leave to withdraw as counsel for the Plaintiffs.

RESPECTFULLY SUBMITTED:

/s Heather Newsom Leonard
Heather Newsom Leonard
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² However, to the extent that the Plaintiff would seek to include in any fee petition time incurred by the undersigned, the Plaintiff should have the right to do so. The undersigned is not seeking compensation nor reimbursement for that time if it is awarded as part of a fee petition.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on all counsel of record via the Court's electronic filing system on April 14, 2023:

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